

***Initiative and Referendum Task Force
Supermajorities and Constitutional Amendments
June 20, 2017***

General

The requirement of a supermajority was challenged in the Courts in Brady vs. Ohman (1997). The decision to uphold was affirmed by the USSC, maintaining that Wyoming had the right to prevent “abuse of the initiated process and make it difficult for a relatively small special-interest group.”

55% Threshold

- Colorado
 - o Amendment 71 (2016)
 - o 55.7% in favor

60% Threshold

- Illinois
 - o Amendment 49 (2012)
 - o Amendment must win a supermajority of 60% or a majority of those who cast ballot for any office in that election
 - o 56.2% in favor
- Florida
 - o Amendment 3 (2006)
 - o 60% of those voting on an amendment
 - o 57.8% in favor

2/3rds Threshold

- New Hampshire
 - o Part of the original constitution drafted in 1783?

“Double Majority”

- Hawaii
 - o Majority needed to pass amendment if majority is at least 50% of the total votes cast in the election.
- Minnesota
 - o Majority needed to pass amendment, but a blank vote equals a “no” vote.
- Utah
 - o Majority of electors voting at the next general election, meaning that more “yes” votes than “no” votes might still lose depending upon how many voters altogether vote in the election.

Other

Majority vote wins if majority vote number equals:

- Massachusetts
 - 30% of the total votes cast in an election.
- Mississippi
 - 40% of the total votes cast in an election.
- Nebraska
 - 35% of the total votes cast in an election.

Special Topics

- Washington
 - 60% threshold for any amendment dealing with gambling.
- Utah
 - 2/3rds threshold for any amendment dealing with the taking of wildlife.